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SUBJECT: UPDATE ON U.S.-EGYPT AIR MARSHALS AGREEMENT

REF: STATE 16741

11. (SBU) KEY POINTS

--Over the past year, the USG has worked with GOE interlocutors to conclude an Inflight Security Officers agreement with Egypt. The agreement, once finalized, will allow armed U.S. Federal Air Marshals to travel on board U.S. flights to and from Egypt.

--The Egyptian Ministry of Interior, the Civil Aviation Authority, and Egyptair provided Econoff, via interlocutors at the Ministry of Foreign Affairs, with their concerns regarding the current draft MOU, which include relinquishment of the Air Marshals' firearms upon entry into Egypt, reciprocal treatment of Egyptian inflight security officers, and command authority over the Air Marshals.

--Embassy Cairo has requested a new round of meetings with GOE officials to discuss the GOE's concerns and move forward with the agreement.

BACKGROUND

12. (SBU) The USG is seeking to conclude an Inflight Security Officers (IFSO) agreement with the GOE to allow armed U.S. Federal Air Marshals to travel on board flights between the U.S. and Egypt (reftel). Over the past year, attorneys from the Transportation Security Administration (TSA) of the Department of Homeland Security (DHS) met with GOE officials to discuss each side's concerns with the current draft IFSO Memorandum of Understanding. In recent months, the GOE has been unresponsive to UG requests for an update on the MOU's status. Recently, MFA North American Division attorney Salma Atef conveyed to Econoff the GOE's interagency concerns regarding the MOU.

GOE issues with the current MOU

13. (SBU) Atef said the Ministry of Interior is concerned with the current MOU's language on the requirements for the Air Marshals to deposit their firearms. The draft agreement calls for the Air Marshals to leave their firearms upon arrival in a secured facility at the airport. MOI has requested the USG provide language that clearly states the exact procedure for the Air Marshals' relinquishing of their firearms. It also wants an article added that would allow Egypt to send armed Egyptian air marshals on board Egyptair flights going to the United States. Lastly, the MOI wants further clarity on the type of firearms and ammunition that would be carried by the Air Marshals.

14. (SBU) Egyptair wants to make sure that the IFSO agreement only applies to U.S. carriers. It does not want armed U.S. Air Marshals on Egyptair flights, unless a specific threat to that flight has been identified.

¶5. (SU) The Civil Aviation Authority (CAA) is seeking an additional article stating that the Air Marshals fall under the authority of the aircraft's commander (i.e. the captain). The CAA also wants both U.S. and Egyptian firearm laws to apply to the Air Marshals.

Next Steps

¶6. (SBU) Econoff and TSA's Amman-based field representative are seeking meetings with the relevant GOE agencies to discuss the current MOU impasse. Embassy Cairo has requested that the MFA coordinate an interagency meeting with Econoff and TSA attorneys in mid-July. We will continue to report on substantive developments.
SCOBRY